

WIRTZ LAW APC

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LORENA GODINEZ

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LORENA GODINEZ,

Plaintiff,

vs.

**BMW OF NORTH AMERICA, LLC, a
Delaware Limited Liability Company,
and DOES 1 through 10, inclusive,**

Defendants.

Case No.: 2:17-cv-5072-ODW-RAO

**[PLAINTIFF'S PROPOSED]
JOINT EXHIBIT LIST**

Plaintiff LORENA GODINEZ and Defendant BMW OF NORTH AMERICA, LLC, by and through counsel, hereby submit the following exhibit list for the trial in the above-entitled action. The parties reserve the right to introduce exhibits designated and/or listed and/or offered by any party to this action, and hereby reserve the right to object to the admissibility of any exhibits designated, listed, and/or offered by any other party to this action. The parties further reserve the right to introduce exhibits for the purpose of impeachment, rebuttal, or rehabilitation and reserves the right to introduce additional exhibits upon appropriate notice to all parties. The Parties further hereby reserve the right to introduce additional exhibits as necessary, including, but not limited to any and all exhibits marked and attached to the depositions of any fact or expert witness taken in this action. The Parties further reserve the right to augment this Exhibit List following the conferencing with one another's counsel that is required pursuant to local rules.

PLAINTIFF'S EXHIBITS

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
1.	Retail Installment Sale Contract dated 12/31/09				
2.	McKenna BMW Repair Order No. 162832 dated 12/18/09 (GODINEZ000220-223)				
3.	McKenna BMW Repair Order No. 162949 dated 12/21/09 (GODINEZ000070-76)				
4.	McKenna BMW Repair Order No. 178380 dated 10/11/10 (GODINEZ000224-33) (Lorena Godinez vs. BMWNA 30)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
5.	McKenna BMW Repair Order No. 184358 dated 1/24/11 (GODINEZ000234-44) (Lorena Godinez vs. BMWNA 28-29)				
6.	McKenna BMW Repair Order No. 195979 dated 9/9/11 (GODINEZ000245-56) (Lorena Godinez vs. BMWNA 26-27)				
7.	McKenna BMW Repair Order No. 202850 dated 1/16/12 (GODINEZ000126-30) (GODINEZ000257-70) (Lorena Godinez vs. BMWNA 24-25)				
8.	McKenna BMW Repair Order No. 212135 dated 7/9/12 (GODINEZ000131-36) (GODINEZ000272-83) (Lorena Godinez vs. BMWNA 22-23)				
9.	McKenna BMW Repair Order No. 218120 dated 10/31/12 (GODINEZ000137-52) (GODINEZ000284-308) (Lorena Godinez vs. BMWNA 18-21)				
10.	McKenna BMW Repair Order No. 221071 dated 12/31/12 (GODINEZ000153-56) (GODINEZ000309-319) (Lorena Godinez vs. BMWNA 17)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
11.	McKenna BMW Repair Order No. 223125 dated 2/11/13 (GODINEZ000157-162) (GODINEZ000320-32) (Lorena Godinez vs. BMWNA 15-16)				
12.	McKenna BMW Repair Order No. 224484 dated 3/11/13 (GODINEZ000163-66) (GODINEZ000333-44) (Lorena Godinez vs. BMWNA 14)				
13.	McKenna BMW Repair Order No. 232745 dated 8/8/13 (GODINEZ000167-77) (GODINEZ000345-62) (Lorena Godinez vs. BMWNA 11-13)				
14.	McKenna BMW Repair Order No. 233213 dated 8/17/13 (GODINEZ000178-84) (GODINEZ000363-69) (GODINEZ000370-82) (Lorena Godinez vs. BMWNA 9-10)				
15.	McKenna BMW Repair Order No. 239846 dated 12/27/13 (GODINEZ000185-94) (GODINEZ000383-401) (Lorena Godinez vs. BMWNA 6-8)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
16.	McKenna BMW Repair Order No. 240249 dated 1/4/14 (GODINEZ000195-96) (GODINEZ000402-12)				
17.	New Century BMW Repair Order No. 915264 dated 11/26/14 (GODINEZ000197-200) (GODINEZ000417-28)				
18.	New Century BMW Repair Order No. 944017 dated 10/24/15 (GODINEZ000429-33) (GODINEZ000435) (GODINEZ000437-57)				
19.	New Century BMW Repair Order No. 973019 dated 9/26/16 (GODINEZ000210-12) (GODINEZ000459-62) (GODINEZ000471-501) (Lorena Godinez vs. BMWNA 32-37)				
20.	New Century BMW Repair Order No. 979975 dated 12/9/16 (GODINEZ000503-06) (GODINEZ000509-58)				
21.	New Century BMW Repair Order No. 1002966 dated 8/30/17 (Lorena Godinez vs. BMWNA 39-40)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
22.	New Century BMW Repair Order No. 1033915 dated 8/28/18 (Lorena Godinez vs. BMWNA 50-52)				
23.	New Century BMW Repair Order No. 1039168 dated 10/29/18 (Lorena Godinez vs. BMWNA 63-65)				
24.	New Century BMW Repair Order No. 1041238 dated 11/24/18 (Lorena Godinez vs. BMWNA 66-68)				
25.	New Century BMW Repair Order No. 1041240 dated 11/24/18 (Lorena Godinez vs. BMWNA 69-71)				
26.	New Century BMW Repair Order No. 1044752 dated 1/7/19 (Lorena Godinez vs. BMWNA 72-73)				
27.	American Tire Depot Invoice dated 10/8/16 (Lorena Godinez vs. BMWNA 41)				
28.	American Tire Depot Invoice dated 12/22/17 (Lorena Godinez vs. BMWNA 42-43)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
29.	American Tire Depot Invoice dated 7/27/18 (Lorena Godinez vs. BMWNA 53-54)				
30.	Purchase Documents (GODINEZ000065-69)				
31.	DMV Documents (Lorena Godinez vs. BMWNA 3-4, 58)				
32.	Insurance Documents (Lorena Godinez vs. BMWNA 5, 59-62, 77-80, 90-91)				
33.	Letter from BMW Financial Services to Plaintiff dated March 20, 2018 (Exhibit 3 Plaintiff's Depo)				
34.	Email from BMW to Plaintiff RE: Plaintiff's Repurchase Request dated 11/10/16 (Lorena Godinez v. BMWNA 56-57)				
35.	Internal BMW Email RE: Plaintiff's Repurchase Request dated 11/10/16 (GODINEZ000219)				
36.	Service History Recap through 9/26/16 (GODINEZ000119-20)				
37.	Warranty Vehicle Inquiry dated 11/10/16 (GODINEZ000215-18)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
38.	Warranty Claim Details dated 11/11/16 (GODINEZ000121-125)				
39.	Warranty Vehicle Inquiry dated 4/26/17 (GODINEZ000087-118)				
40.	Warranty Vehicle Inquiry dated 8/6/18 (Holguin Expert File)				
41.	Service Request Detail S01028802381 dated 10/15/10 (GODINEZ000077-78)				
42.	Service Request Detail S01219805190 dated 7/16/12 (GODINEZ000079-80)				
43.	Service Request Detail 201631205281 dated 11/23/16 (GODINEZ000081-86)				
44.	SI B 63 06 10 – LEDs in Rear Lamp Inoperative (GODINEZ000593)				
45.	SI B 61 02 13 – Recall Campaign 13v-044: Repair Battery Positive Cable; Attachment for Repair Battery Positive Cable (GODINEZ000564-76, 589-92)				
46.	SI B 61 02 13 – Customer Letter RE: Recall Campaign 13v-044: Repair Battery Positive Cable (GODINEZ000561-63)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
47.	SI B 61 02 13 – Q&A RE: Recall Campaign 13v-044: Repair Battery Positive Cable (GODINEZ000577-79)				
48.	SI B 12 18 14 – Engine Misfire Due to Failed Ignition Coil (GODINEZ000586-88)				
49.	SI B 01 20 16 – Footwell Module: Limited Warranty Extension to 8 Years/125,000 Miles; Attachment for Footwell Module: Limited Warranty Extension to 8 Years/125,000 Miles (GODINEZ000559-60, 580-85)				
50.	SI B 11 16 17 – Recall 17V-683: Positive Crankcase Ventilation (PCV) Valve Heater; Repair Procedures for Positive Crankcase Ventilation (PCV) Valve Heater (Holguin Expert File)				
51.	SI B 64 07 17 – Recall 17V-676: Blower Motor Wiring; Repair Procedures for Short Repair Cable; Repair Procedures for Wire Harness Connector; Repair Procedures for Harness Checking Procedure (Holguin Expert File)				
52.	Service and Warranty Information Booklet – 2010 1 Series, 3 Series, 5 Series, 6 Series (GODINEZ000001-61)				

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
53.	BBB California Lemon Law Summary (Redacted) (Lorena Godinez vs. BMW NA 84-89)				
54.	Owner's Manual for Vehicle – 328i, 328i xDrive, 335i, 335i xDrive, M3				
55.	Photographs of Vehicle (Lorena Godinez vs. BMWNA 46-49) (Exhibit 4 Plaintiff's Depo) (Lorena Godinez vs. BMWNA 81)				
56.	German Imports Auto Inc. Invoice dated 6/25/18 (Lorena Godinez vs. BMWNA 55)				
57.	New Century BMW Repair Order No. 1054543 dated 5/9/19 (Lorena Godinez vs. BMWNA 74-76)				
58.	BMW Advertisement: Nothing Less Than Perfection (Lorena Godinez vs. BMWNA 82-83)				
59. – 999.	<i>Reserved</i>				

DEFENDANT'S EXHIBITS

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
1000.	Vehicle Repair Timelines	Relevance, FRE 403, Demonstrative			
1001.	Complaint dated 4/18/17	Relevance, Not Evidence			
1002.	Vehicle Warranty History				
1003.	BMW BBB Arbitration Certification Program	Relevance			
1004.	Certificate of Certified Status	Relevance			
1005.	BBB California Lemon Law Summary	Object in Part: Only to Sections 9-10 and 17-18; FRE 403			
1006.	Carfax re subject vehicle	Relevance			
1007.	Luis Holguin expert disclosure and expert report				
1008.	Relevant Portions of Service Manual for BMW 3 Series 2006-2010				
1009.	Diagram Re Oil Filter Housing Gasket and Gasket	Not Produced in Discovery			
1010.	Diagram Re Drive Belt Pulley, Idler Pulley, and Power Steering Pump	Not Produced in Discovery			
1011.	Diagram Re Coolant System	Not Produced in Discovery			

Exhibit No.	Description	Grounds for Objection	Response to Objection	Date Id.	Date Adm.
1012.	Diagram Re Window Regulator	Not Produced in Discovery			
1013.	Diagram Re Valve Cover and Exemplar Valve Cover Gasket	Not Produced in Discovery			
1014.	Diagram Re O2 Sensor	Not Produced in Discovery			
1015.	Foot Well Module Description	Not Produced in Discovery			
1016.	Exemplar Tail Lamp LED Circuit Board	Not Produced in Discovery			
1017.	Front Brake Caliper Diagram	Not Produced in Discovery			
1018.	Gas Cap Photograph and Exemplar Gas Cap	Not Produced in Discovery			
1019.	SIB 61 02 13 Re Battery Cable	Duplicative			
1020.	Ignition Coil Diagram				
1021.	Exemplar Valve Cover	Not Produced in Discovery			
1022.	Customer Contact Log	Duplicative			
1023.	Email dated 12/19/16 to Jose Conde re additional vehicle repair with attached documents	Not Produced in Discovery			
1024.	Email re Jose Conde's Response to 12/19/16 email	Not Produced in Discovery			
1025.	<i>Reserved</i>				

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Respectfully Submitted,

DATED: November 4, 2019

WIRTZ LAW APC

By: /s/ Amy R. Rotman
Richard M. Wirtz
Amy R. Rotman
Attorneys for Plaintiff,
LORENA GODINEZ